

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 RONALD BRENNAN JR.,

11 v.
12 Plaintiff,

13 ANTHONY ASTON *et al.*,

14 Defendants.

CASE NO. C17-1928-JCC

ORDER

15 This matter comes before the Court on the report and recommendation of the Honorable
16 Michelle L. Peterson, United States Magistrate Judge (Dkt. No. 286). Plaintiff has not filed
17 objections to the report and recommendation. Having thoroughly considered the report and
18 recommendation and the relevant record, the Court finds oral argument unnecessary and hereby
19 ORDERS that:

20 1. The report and recommendation (Dkt. No. 286) is APPROVED and ADOPTED;
21 2. Defendant Kimberly Parker's motion for summary judgment (Dkt. No. 236) is
22 GRANTED. Plaintiff's claims against Ms. Parker regarding religion are DISMISSED without
23 prejudice for failure to exhaust, and his First Amendment claim against her is DISMISSED with
24 prejudice.

25 3. Defendants Captain Daniel Stites, Lieutenant Brett Sundstrom, Lieutenant Clinton
26 Moll, Sergeant Robert Ogawa, Sergeant Scott Lewis, and Sergeant Bernard Moody's motion for

1 summary judgment regarding Plaintiff's Fourteenth Amendment conditions of confinement
2 claims against them (Dkt. No. 244) is GRANTED. These claims are DISMISSED without
3 prejudice for failure to exhaust.

4. This order disposes of all the claims against Ms. Parker, Captain Stites,
5 Lieutenant Sundstrom, Sergeant Ogawa, Sergeant Lewis, and Sergeant Moody, and these
6 Defendants are DISMISSED from the lawsuit. Plaintiff's remaining claim against Lieutenant
7 Moll will be addressed in a subsequent order.

5. The Clerk is DIRECTED to send copies of this order to the parties and to Judge
Peterson.

DATED this 15th day of May 2020.



John C. Coughenour
UNITED STATES DISTRICT JUDGE